

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Pablo Ramon Guerrero,

Petitioner

v.

Brian E. Williams, et al.,

Respondents

Case No.: 2:13-cv-00328-JAD-DJA

**Order Re: Extension of Time and  
Clarification**

[ECF Nos. 135, 136]

Petitioner Pablo Ramon Guerrero sought a writ of habeas corpus under 28 U.S.C. § 2254 based on claims that his trial counsel was ineffective.<sup>1</sup> I denied Guerrero's petition, denied a certificate of appealability, and closed this case on April 9, 2020.<sup>2</sup> Guerrero appealed, and the United States Court of Appeals denied Guerrero's request for a certificate of appealability on October 28, 2020.<sup>3</sup>

Guerrero filed a "motion 60(b)(6)(1-3) and motion to introduce 'newly discovered' evidence and exhausted state appeal documents" on July 22, 2021.<sup>4</sup> The respondents filed their opposition on August 11, 2021.<sup>5</sup> I reopened this case on August 23, 2021, for the limited purpose of considering Guerrero's motions, and I directed the Clerk of the Court to mail a copy of the docket sheet to Guerrero.<sup>6</sup> Guerrero has now moved for an enlargement of time to file his

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<sup>1</sup> ECF No. 26.

<sup>2</sup> ECF No. 121.

<sup>3</sup> ECF Nos. 123, 126.

<sup>4</sup> ECF No. 129.

<sup>5</sup> ECF No. 132.

<sup>6</sup> ECF No. 134.

1 reply in support of his motions and for clarification of my August 23, 2021, order.<sup>7</sup> Regarding  
 2 the latter motion, Guerrero explains that the docket sheet that was mailed to him by the Clerk of  
 3 the Court labeled his July 22, 2021, motions as simply “motion to introduce ‘newly discovered’  
 4 evidence,” thereby omitting reference to his “motion 60(b)(6)(1-3).”<sup>8</sup> Although the label on the  
 5 docket sheet may appear to be incomplete, both of Guerrero’s motions were filed: his 60(b)  
 6 motion and his motion to introduce newly discovered evidence and state appeal documents. As  
 7 such, Guerrero’s reply should address both motions. Guerrero has also requested an extension of  
 8 the page limit for his reply, asking for “a (10) page extension, . . . not to exceed (20) pages.”<sup>9</sup>  
 9 LSR 3-2(b) provides that “motions, responses to motions, and replies in support of motions are  
 10 limited to 30 pages, excluding exhibits.” Thus, it appears that Guerrero does not need a court  
 11 order to file a 20-page reply brief.

12 IT IS THEREFORE ORDERED that Guerrero’s motion for an enlargement of time  
 13 **[ECF No. 135] is GRANTED *nunc pro tunc***, and the time for Guerrero to file a reply is  
 14 **extended to September 23, 2021.**

15 Guerrero’s motion to clarify order **[ECF No. 136] is GRANTED in part**. His reply  
 16 should address both his 60(b) motion and his motion to introduce newly discovered evidence and  
 17 state appeal documents. His request for an extension of his reply’s page limit is DENIED as  
 18 moot.

19 Dated: September 9, 2021

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 21 U.S. District Judge Jennifer A. Dorsey  
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 26 <sup>7</sup> ECF Nos. 135, 136.

27 <sup>8</sup> ECF No. 136 at 5 (citing ECF No. 129).

28 <sup>9</sup> *Id.* at 6.